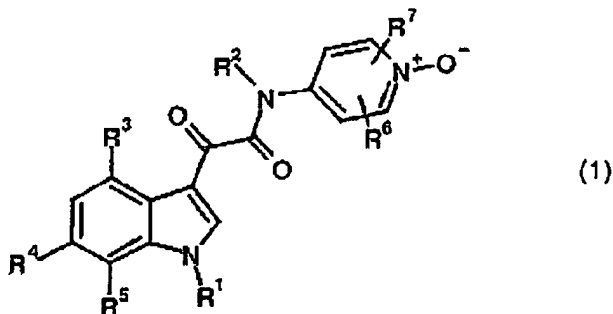


IN THE CLAIMS

1. (currently amended) A compound of formula 1 ~~the formula 1~~



~~in which~~ wherein

R¹

(i) is -C₁₋₁₀-alkyl, straight-chain or branched-chain, optionally mono- or polysubstituted by -OH, -SH, -NH₂, -NHC₁₋₆-alkyl, -N(C₁₋₆-alkyl)₂, -NHC₆₋₁₄-aryl, -N(C₆₋₁₄-aryl)₂, -N(C₁₋₆-alkyl)(C₆₋₁₄-aryl), -NO₂, -CN, -F, -Cl, -Br, -I, -O-C₁₋₆-alkyl, -O-C₆₋₁₄-aryl, -S-C₁₋₆-alkyl, -S-C₆₋₁₄-aryl, -SO₃H, -SO₂C₁₋₆-alkyl, -SO₂C₆₋₁₄-aryl, -OSO₂C₁₋₆-alkyl, -OSO₂C₆₋₁₄-aryl, -COOH, -(CO)C₁₋₅-alkyl, -COO-C₁₋₅-alkyl, -O(CO)C₁₋₅-alkyl, by mono-, bi- or tricyclic saturated or mono- or polyunsaturated carbocycles with 3-14 ring members or/and by mono-, bi- or tricyclic saturated or mono- or polyunsaturated heterocycles with 5-15 ring members and 1-6 heteroatoms, which are preferably N, O and S,

wherein the C₆₋₁₄-aryl groups and the carbocyclic and heterocyclic substituents in turn may optionally be substituted one or more times by -C₁₋₆-alkyl, -OH, -NH₂, -NHC₁₋₆-alkyl, -N(C₁₋₆-alkyl)₂, -NO₂, -CN, -F, -Cl, -Br, -I, -O-C₁₋₆-alkyl, -S-C₁₋₆-alkyl, -SO₃H, -SO₂C₁₋₆-alkyl, -OSO₂C₁₋₆-alkyl, -COOH, -(CO)C₁₋₅-alkyl, -

COO-C₁₋₅-alkyl or/and -O(CO)C₁₋₅-alkyl, and wherein the alkyl groups on the carbocyclic and heterocyclic substituents in turn may optionally be substituted one or more times by -OH, -SH, -NH₂, -F, -Cl, -Br, -I, -SO₃H or/and -COOH, or

(ii) is -C₂₋₁₀-alkenyl, mono- or polyunsaturated, straight-chain or branched-chain, optionally mono- or polysubstituted by -OH, -SH, -NH₂, -NHC₁₋₆-alkyl, -N(C₁₋₆-alkyl)₂, -NHC₆₋₁₄-aryl, -N(C₆₋₁₄-aryl)₂, -N(C₁₋₆-alkyl)(C₆₋₁₄-aryl), -NO₂, -CN, -F, -Cl, -Br, -I, -O-C₁₋₆-alkyl, -O-C₆₋₁₄-aryl, -S-C₁₋₆-alkyl, -S-C₆₋₁₄-aryl, -SO₃H, -SO₂C₁₋₆-alkyl, -SO₂C₆₋₁₄-aryl, -OSO₂C₁₋₆-alkyl, -OSO₂C₆₋₁₄-aryl, -COOH, -(CO)C₁₋₅-alkyl, -COO-C₁₋₅-alkyl, -O(CO)C₁₋₅-alkyl, by mono-, bi- or tricyclic saturated or mono- or polyunsaturated carbocycles with 3-14 ring members or/and by mono-, bi- or tricyclic saturated or mono- or polyunsaturated heterocycles with 5-15 ring members and 1-6 heteroatoms, which are preferably N, O and S,

wherein the C₆₋₁₄-aryl groups and the carbocyclic and heterocyclic substituents in turn may optionally be substituted one or more times by -C₁₋₆-alkyl, -OH, -NH₂, -NHC₁₋₆-alkyl, -N(C₁₋₆-alkyl)₂, -NO₂, -CN, -F, -Cl, -Br, -I, -O-C₁₋₆-alkyl, -S-C₁₋₆-alkyl, -SO₃H, -SO₂C₁₋₆-alkyl, -OSO₂C₁₋₆-alkyl, -COOH, -(CO)C₁₋₅-alkyl, -COO-C₁₋₅-alkyl or/and -O(CO)C₁₋₅-alkyl,

and wherein the alkyl groups on the carbocyclic and heterocyclic substituents in turn may optionally be substituted one or more times by -OH, -SH, -NH₂, -F, -Cl, -Br, -I, -SO₃H or/and -COOH,

R² is hydrogen or -C₁₋₃-alkyl,

R³, R⁴ and R⁵ are hydrogen or a hydroxyl group, wherein at least one of these substituents must be a hydroxyl group,

R⁶ and R⁷ may be identical or different and are hydrogen, -C₁₋₆-alkyl, -OH, -SH, -NH₂, -NHC₁₋₆-alkyl, -N(C₁₋₆-alkyl)₂, -NO₂, -CN, -SO₃H, -SO₃-C₁₋₆-alkyl, -

COOH, -COO-C₁₋₆-alkyl, -O(CO)-C₁₋₃-alkyl, -F, -Cl, -Br, -I, -O-C₁₋₆-alkyl, -S-C₁₋₆-alkyl, -phenyl or -pyridyl, wherein the phenyl or pyridyl substituents in turn may optionally be substituted one or more times by -C₁₋₃-alkyl, -OH, -SH, -NH₂, -NHC₁₋₃-alkyl, -N(C₁₋₃-alkyl)₂, -NO₂, -CN, -SO₃H, -SO₃C₁₋₃-alkyl, -COOH, -COOC₁₋₃-alkyl, -F, -Cl, -Br, -I, -O-C₁₋₃-alkyl, -S-C₁₋₃-alkyl, or/and -O(CO)C₁₋₃-alkyl, and wherein the alkyl substituents in turn may optionally be substituted one or more times by -OH, -SH, -NH₂, -F, -Cl, -Br, -I, -SO₃H, -SO₃C₁₋₃-alkyl, -COOH, -COOC₁₋₃-alkyl, -O-C₁₋₃-alkyl, -S-C₁₋₃-alkyl or/and -O(CO)-C₁₋₃-alkyl,

or salts of the compounds of formula 1 ~~formula 1~~.

2. (currently amended) A compound as claimed in claim 1 having ~~an~~ at least one asymmetric carbon atom in the D form, the L form and D,L mixtures, and in the case of a plurality of asymmetric carbon atoms also the diastereomeric forms.

3. (currently amended) A compound as claimed in claim 1 ~~or 2~~, wherein R² is hydrogen or a methyl group.

4. (currently amended) A compound as claimed in claim 1 ~~one of claims 1 to 3~~, wherein R³ = -H, R⁴ = H and R⁵ = -OH.

5. (currently amended) A compound as claimed in claim 1 ~~one of claims 1 to 4~~, wherein at least one of R⁶ and R⁷ is a halogen atom.

6. (currently amended) A compound according to claim 1 ~~as claimed in any of claims 1 to 5~~ selected from the group consisting of:

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(4-fluorobenzyl)-7-hydroxyindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(4-chlorobenzyl)-7-hydroxyindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2-chlorobenzyl)-7-hydroxyindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2,4-dichlorobenzyl)-7-hydroxyindol-3-yl]glyoxylamide;

N-(1-oxopyridin-4-yl)-[1-(4-fluorobenzyl)-7-hydroxyindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(4-fluorobenzyl)-4-hydroxyindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[7-hydroxy-1-(3-nitrobenzyl)-indol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[7-hydroxy-1-(2-nitrobenzyl)-indol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(2,6-difluorobenzyl)-7-hydroxyindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-(7-hydroxy-1-isobutylindol-3-yl)glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-(1-cyclopropyl-methyl-7-hydroxyindol-3-yl)glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[7-hydroxy-1-(4-hydroxybenzyl)-indol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-N-methyl-[1-(4-fluorobenzyl)-7-hydroxyindol-3-yl]glyoxylamide;

N-(3,5-dichloro-1-oxopyridin-4-yl)-[1-(4-fluorobenzyl)-6-hydroxyindol-3-yl]glyoxylamide;

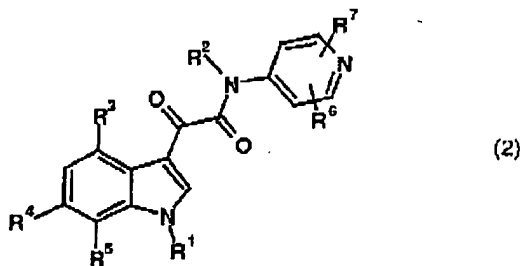
N-(1-oxopyridin-4-yl)-[1-(2-chlorobenzyl)-6-hydroxyindol-3-yl]glyoxylamide;

and physiologically tolerated salts thereof.

7. (currently amended) The A compound according to claim 1 as claimed in any of claims 1 to 6 selected from: that is

N-(3,5-Dichloro-1-oxopyridin-4-yl)-[1-(2,6-difluorobenzyl)-7-hydroxyindol-3-yl]glyoxylamide and physiologically tolerated salts thereof.

8. currently amended) A process for preparing a compound ~~compounds of claim 1, comprising formula 1, which comprises~~ converting N-(pyridine-4-yl)-indol-3-ylglyoxylamides of formula 2



~~formula 2~~ into the analogous N-(1-oxopyridin-4-yl)-indol-3-ylglyoxylamides of ~~formula 1~~ ~~formula 1~~ by treatment with an oxidizing agent, and ~~forming~~ ~~liberating the compound~~ ~~compounds of formula 1~~ by eliminating a protective group.

9. (currently amended) The process as claimed in claim 8, ~~said~~ ~~oxidizing agent is selected from the group consisting of wherein a peracid and a~~ ~~peracid, in particular m-chloroperbenzoic acid or/and peracetic acid~~ ~~acid, is used as~~ oxidizing agent.

10. (currently amended) ~~A method of treating~~ ~~The use of the~~ ~~compounds of formula 1 as claimed in any of claims 1 to 6 as therapeutic active~~ ~~ingredients for producing drug products for the treatment of disorders in which~~ ~~inhibition of phosphodiesterase 4 is therapeutically beneficial~~ ~~comprising~~ ~~administering to a patient in need thereof a therapeutically effective amount of a~~ ~~compound of claim 1.~~

11. (currently amended) ~~A method of treating~~ ~~The use of the~~ ~~compounds of formula 1 as claimed in any of claims 1 to 6 as therapeutic active~~ ~~ingredients for producing drug products for the treatment of disorders associated with~~ ~~the effect of eosinophils~~ ~~comprising administering a therapeutically effective amount~~ ~~of a compound of claim 1 to a patient in need thereof.~~

12. (currently amended) ~~A method of treating~~ ~~The use of the~~ ~~compounds of formula 1 as claimed in any of claims 1 to 6 as therapeutic active~~ ~~ingredients for producing drug products for the treatment of disorders associated with~~ ~~the effect of neutrophils~~ ~~comprising administering a therapeutically effective amount~~ ~~of a compound of claim 1 to a patient in need thereof.~~

13. (currently amended) ~~A method of treating a~~ ~~The use of the~~ ~~compounds of formula 1 as claimed in any of claims 1 to 6 as therapeutic active~~

~~ingredients for producing drug products for the treatment of hyperproliferative disorder comprising administering a therapeutically effective amount of a compound of claim 1 to a patient in need thereof to treat the hyperproliferative disorder disorders.~~

14. (currently amended) A drug product comprising a compound of claim 1 and a one or more compounds as claimed in any of claims 1 to 6 in addition to conventional physiologically tolerated carrier, diluent and excipient carriers and/or diluents and excipients.

15. (currently amended) A process for producing a drug product ~~as claimed in claim 14, comprising admixing a compound of claim 1 with a which comprises one or more compounds as claimed in any of claims 1 to 6 being processed with conventional pharmaceutical carrier, diluent or excipient to form the drug product carriers and/or diluents and other excipients to pharmaceutical preparations, or being converted into a form which can be used therapeutically.~~

16. (currently amended) A pharmaceutical composition comprising a compound according to claim 1 and at least one additional ~~The use of compounds of the general formula 1 as claimed in any of claims 1 to 6 and/or of drug products as claimed in claim 14 alone or in combination with one another or in combination with other active pharmaceutical agent ingredients.~~

17. (new) The process as claimed in claim 8, said oxidizing agent is m-chloroperbenzoic acid.